

Message Text

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ACTION DLOS-06

INFO OCT-01 AF-08 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00
EB-08 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00 H-01
INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05
NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15
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FM AMEMBASSY KINSHASA

TO SECSTATE WASHDC 1644

C O N F I D E N T I A L KINSHASA 1064

E.O. 11652: GDS

TAGS: PLOS, CG

SUBJECT: STRATEGY FOR INTERSESSIONAL CONSULTATIONS ON LAW OF THE
SEA

REF: 76 STATE 298001

1. SUMMARY: LOS ISSUES ARE HANDLED PRINCIPALLY BY FONAFFS AND
DECISIONS THEREON ARE USUALLY MADE AT THE HIGHEST LEVELS OF THE
GOVERNMENT. THERE HAVE BEEN CHANGES IN THOSE RESPONSIBLE FOR LOS
QUESTIONS, WITH THE AMBASSADOR TO THE UN HAVING BEEN APPOINTED
AS ZAIRE'S CHIEF DELEGATE TO LOS CONFERENCES. END SUMMARY.

2. AS BEST AS CAN BE DETERMINED, FONAFFS HAS SOLE RESPONSIBILITY
FOR LOS. THE DEPARTMENTS OF JUSTICE, DEFENSE, INTERIOR AND ENVIRON-
MENT AS WELL AS CERTAIN UNIVERSITY PROFESSORS ARE REPORTEDLY
CONSULTED FROM TIME TO TIME. THEIR INPUT INTO OVERALL GOZ POLICY
ON LOS, HOWEVER, IS MARGINAL. THIS IS PARTICULARLY TRUE IN THE
CASE OF THE PRIVATE SECTOR.

3. THREE OFFICES HANDLE LOS MATTERS IN FONAFFS: 1) INTERNATIONAL
ORGANIZATIONS (POLITICAL, 2) INTERNATIONAL COOPERATION (ECONOMIC)
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AND 3) LEGAL (TREATY ASPECTS.) THE PRINCIPAL COORDINATOR FOR LOS
IS THE HEAD OF INTERNATIONAL ORGANIZATIONS, ZITU-DI-NENTOKI. FITI
(FNU) HANDLES THE ECONOMIC ISSUES, AND HAMULI (FNU) DEALS WITH
THE LEGAL QUESTIONS. VIRTUALLY ALL DECISIONS, HOWEVER, ARE MADE
BY THE FOMIN, AND AT TIMES BY THE PRESIDENT, PARTICULARLY AS THEY
RELATE TO FUNDAMENTAL POLICY. TACTICAL DECISIONS ARE USUALLY LEFT
TO THE LOS CHIEF DELEGATE OR THE DIRECTOR OF POLITICAL AFFAIRS,

FONAFFS, KALONJI.

4. THE CURRENT EXPERT AND PRINCIPAL ADVISER TO THE FOMIN ON LOS MATTERS IS UMBA DI LUTETE, ZAIRE'S PERMANENT REPRESENTATIVE TO THE UN. HE IS NEW TO THE SUBJECT AND IS PRIMARILY ASSISTED BY HIS MISSION STAFF. IN ADDITION, AS A FORMER FOMIN, HE MAY HAVE SOME LATITUDE IN TAKING POSITIONS WITHOUT REFERRAL TO KINSHASA. UMBA HAS THUS REPLACED AMBASSADOR MUSHOBEKWA, ZAIRE'S FOREMOST EXPERT ON LOS, WHO NOW HEADS THE INTERNATIONAL COOPERATION DIVISION IN FONAFFS AND IS NO LONGER CONCERNED WITH LOS DUE TO LACK OF TIME.

5. AS THERE IS NO FULL TIME OFFICE, LOS IS FOLLOWED SPORADICALLY BOTH AT FONAFFS AND IN THE MISSION TO THE UN. AT THE SAME TIME, FONAFFS IS USUALLY NOT UP TO DATE ON ACTIVITIES THAT TAKE PLACE AT LOS CONFERENCES. AS A CONSEQUENCE, AND GIVEN UMBA'S NEW RESPONSIBILITIES, CONSULTATIONS ON LOS ISSUES COULD AND SHOULD, AS A GENERAL RULE, BE BROACHED WITH HIM. THESE COULD BE SUPPLEMENTED WITH APPROACHES TO FONAFFS BY THE EMBASSY. SPECIAL REQUESTS FOR SUPPORT ON SPECIFIC ISSUES SHOULD BE ADDRESSED TO THE FOMIN FROM THE SECRETARY. SUCH MESSAGES WILL INSURE THAT SPECIFIC INSTRUCTIONS ARE SENT TO THE ZAIRIAN DELEGATION WHICH NORMALLY HAS GENERAL GUIDELINES AND HAS A CERTAIN AMOUNT OF FLEXIBILITY IN DETERMINING ITS POSITION.

6. EMBASSY WOULD CAUTION AGAINST ASSUMING THAT ZAIRE IS INFLUENTIAL IN LOS MATTERS. IT IS OUR IMPRESSION THAT ITS INFLUENCE IS MINIMAL AND THAT ZAIRE PLAYS A SUBORDINATE ROLE TO SUCH LUMINARIES AS TANZANIA, KENYA AND NIGERIA. ITS INTERESTS ARE SIMILAR TO GEOGRAPHICALLY DISADVANTAGED STATES AS WELL AS TO

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THOSE THIRD WORLD COUNTRIES WITH LAND BASED MINERALS. WHILE FROM TIME TO TIME THE GOZ MAY TAKE A DIFFERENT TACK FROM THAT OF THE US ON SUCH ISSUES, IN GENERAL THE ZAIRIANS SHOULD BE RESPONSIVE TO OUR APPROACHES ON LOS MATTERS.

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Message Attributes

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